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## UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

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FSP STALLION 1, LLC, et al.,
Plaintiffs,
v.
MICHAEL LUCE, et al.,
Defendants.

AND ALL RELATED CLAIMS

2:08-CV-01155-PMP-PAL

ORDER

At the hearing conducted Wednesday, December 28, 2011, counsel for Defendants submitted to the Court a proposed "Confidential Juror Questionnaire." Counsel for Plaintiffs advised the Court that they had not yet completed their review of Defendants' Proposed Juror Questionnaire, and the Parties were directed to bring a proposed joint confidential juror questionnaire to the pretrial conference currently scheduled for Wednesday, January 4, 2012.

The Court has reviewed Defendants' Proposed Questionnaire and finds the majority of the questions proposed to be unobjectionable, and indeed typical of voir dire questions the Court would generally pose to prospective jurors. The following, however, are deemed inappropriate by the Court and will not be permitted on the questionnaire or during the jury selection process:

Question Nos. 13, 14, 25, 27, and 32.

Additionally, the Court finds Question No. 17 to be potentially vague and confusing. It is unclear whether counsel are seeking from prospective jurors information concerning "significant financial losses" or other "significant losses" within the past five (5) years.

Similarly, Question No. 31 inappropriately focuses only on Defendant William "Billy" Walters. Question No. 31 is unnecessary, as the Court will in its general voir dire inquire of all prospective jurors whether they have read or heard anything about this litigation or any of the participating Plaintiffs and Defendants (including Mr. Walters).

IT IS THEREFORE ORDERED that in developing the proposed joint questionnaire, the Parties make the corrections noted by the Court above. Additionally, the Parties are reminded that the questionnaire must fit on a single page of paper with printing on both sides to assist the Jury Administrator in canvassing the jury pool.

6 DATED: December 30, 2011.

PHILIP M. PRO

United States District Judge